

FILED  
GREAT FALLS DIV.

2011 MAY 31 PM 12 35

PATRICK E. DUFFY, CLERK

**IN THE UNITED STATES DISTRICT COURT**  
DEPUTY CLERK

**FOR THE DISTRICT OF MONTANA**

**GREAT FALLS DIVISION**

ANDREW M. POSTLEWAITE,

Plaintiff,

vs.

CROSSROADS CORRECTIONS  
CENTER, and THE MONTANA  
DEPARTMENT OF CORRECTIONS,

Defendants.

No. CV-11-22-GF-SEH

**ORDER**

On May 18, 2011, United States Magistrate Judge Keith Strong entered his Findings and Recommendations<sup>1</sup> in this matter. Plaintiff filed objections<sup>2</sup> on May 23, 2011. The Court reviews *de novo* findings and recommendations to which objections are made. 28 U.S.C. § 636(b)(1).

Upon *de novo* review of the record, I find no error in Judge Strong's

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<sup>1</sup> Document No. 7

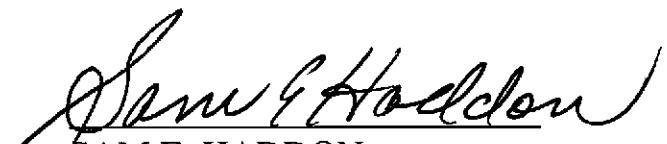
<sup>2</sup> Document No. 9

Findings and Recommendations and adopt them in full.

ORDERED:

1. Plaintiff's Complaint<sup>3</sup> is DISMISSED without prejudice for failure to exhaust administrative remedies.
2. The Clerk is directed to enter judgment accordingly.
3. Any appeal from this disposition will not be taken in good faith because Plaintiff has failed to exhaust administrative remedies and no reasonable person could suppose an appeal would have merit. Fed. R. App. P. 24(a)(3)(A).

DATED this 31<sup>st</sup> day of May, 2011.



Sam E. Haddon  
SAM E. HADDON  
United States District Judge

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<sup>3</sup> Document No. 2